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Stuart H. Mayer, Esq.  
Mayer Fortkort & Williams PC  
Suite 250  
200 Executive Drive  
West Orange, NJ 07052

EXAMINER

KLINGER, SCOTT M

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/909,151

Applicant(s)

IMAMURA ET AL.

Examiner

Scott M. Klinger

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

Claims 1-41 are pending.

#### ***Priority***

A claim for priority from provisional application 60/260,118 has been made. The effective filing date for subject matter in the application is 8 January 2001.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the limitation "the window" on page 24, lines 9-10. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-8, 15-24, 30, 32-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Birrell et al. (U.S. Patent Number 6,189,026, hereinafter "Birrell"). Birrell

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discloses technique for dynamically generating an address book in a distributed electronic mail system. Birrell shows,

In referring to claim 1,

- Retrieving over the distributed computer network electronic mail messages addressed to a first of said plurality of users:

*"In the system 200, mail messages are accessed by using queries. This is in contrast to explicitly specifying subject folders as are used in many known mail systems. A query is composed one or more search terms, perhaps connected by logical operators, that can be used to retrieve messages. By specifying the name of a query, a user can easily retrieve messages related to a particular topic, phrase, date, sender, etc. Named queries 340 are stored as part of the account information."* (Birrell, col. 5, lines 54-62), any user of the system can retrieve messages addressed to them including a first of the plurality of users

- Retrieving over the distributed computer network status information regarding any unread electronic mail messages addressed to remaining ones of the plurality of users:

*"Each mail message can initially receive two labels, "inbox" 710 and "unread" 720. Messages labeled as "unread" 720 have not yet been exposed for reading. Messages with the "inbox" label 710 are deemed to require the user's attention. As will be described below, it possible for messages to be labeled as unread but not have the inbox label. These less important messages can be read by the user as needed."* (Birrell, col. 9, lines 15-22), any user of the system can retrieve status information regarding unread messages addressed to them including the remaining ones of the plurality of users

In referring to claim 2,

- The step of retrieving electronic mail messages includes the step of logging onto the distributed computer network to establish communication with a server on which said electronic mail messages are stored:

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*"As an introduction, passwords 320 are used to authenticate users." (Birrell, col. 5, lines 46-47)*

In referring to claim 4,

- Said retrieving steps are performed on a user interface device and said plurality of users have been previously registered as users of said user interface device:

*"As shown for computer 111, each client computer executes standard operating system software (O/S) 114, e.g., UNIX<sup>TM</sup>, Windows95<sup>TM</sup>, MacOS<sup>TM</sup> or NT<sup>TM</sup>. The O/S 114 is used to execute application software programs. One of the application programs which can execute on the client 110 is a Web browser 115. The Web browser 115 can be Netscape Navigator, Microsoft Explorer, Hot Java, and other similar browsers." (Birrell, col. 2, lines 58-65), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system*

In referring to claim 5,

- Said status information includes a representation of the number of unread electronic mail messages available for the remaining ones of the plurality of users:  
*Birrell, col. 9, lines 15-22 (see full quote above)*

In referring to claim 6,

- Said status information further includes an identifier of the sender of each of the unread electronic mail messages:

*"As shown in FIG. 7, a message 700 includes a header 701 and a body. The header 701 typically includes the "To", "From", "Date" and "Subject" fields. The header may also include routing information. The body 702 is the text of the mail message." (Birrell, col. 9, lines 10-14)*

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In referring to claims 7 and 8,

- The step of displaying said status information on a display of a user interface device:

*"The I/O 119 can be connected to input devices such as a keyboard and a mouse, and output devices such as a display and a printer."* (Birrell, col. 3, lines 18-20), Birrell Fig. 7 shows some of parts of the message that are displayed, including status information

In referring to claim 15,

- A first data structure stored on said medium for retrieving over a distributed computer network electronic mail messages addressed to a first one of a plurality of users; and

*Birrell, col. 5, lines 54-62* (see full quote above); any user of the system can retrieve messages addressed to them including a first of the plurality of users (a computer system that carries out an action inherently implies a data structure for carrying out said action)

- A second data structure stored on said medium for retrieving over the distributed computer network status information regarding any unread electronic mail messages addressed to remaining ones of the plurality of users:

*Birrell, col. 5, lines* (see full quote above), any user of the system can retrieve status information regarding unread messages addressed to them including the remaining ones of the plurality of users (a computer system that carries out an action inherently implies a data structure for carrying out said action)

In referring to claim 16,

- Said first data structure includes a pointer to a window to be displayed on the user interface device:

Birrell, Fig. 7 shows a diagram of a labeled message that is displayed to the user (a computer system that carries out an action inherently implies a data structure for carrying out said action)

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In referring to claim 17,

- Said first data structure is operative to retrieve electronic mail messages after logging onto the distributed computer network to establish communication with a server on which said electronic mail messages are stored:

*Birrell, col. 5, lines 46-47 (see full quote above)*

In referring to claim 18,

- Said first data structure is operative to perform said retrieving steps after the step of logging onto the distributed computer network is performed by only said first of the plurality of users:

*Birrell, col. 5, lines 46-47 (see full quote above), the system of Birrell allows any of the users to log into the system at any time, this includes having only one of the users logged in at a given time*

In referring to claim 19,

- said first and second data storage structures are operative on a user interface device and said plurality of users have been previously registered as users of said user interface device.

*Birrell, col. 2, lines 58-65 (see full quote above), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system*

In referring to claim 20,

- Said status information includes a representation of the number of unread electronic mail messages available for the remaining ones of the plurality of users.

*Birrell, col. 9, lines 15-22 (see full quote above)*

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In referring to claim 21,

- Said status information further includes an identifier of the sender of each of the unread electronic mail messages:

*Birrell, col. 9, lines 10-14 (see full quote above)*

In referring to claims 22 and 23

- A third data structure for displaying said status information on a display of a user interface device wherein said status information is displayed on a display of a user interface device:

*Birrell, col. 3, lines 18-20 (see full quote above), Birrell Fig. 7 shows some of parts of the message that are displayed, including status information (a computer system that carries out an action inherently implies a data structure for carrying out said action)*

In referring to claim 24,

- A third data structure for displaying said status information in said window.

*Birrell, col. 3, lines 18-20 (see full quote above), Birrell Fig. 7 shows some of parts of the message that are displayed, including status information (a computer system that carries out an action inherently implies a data structure for carrying out said action)*

In referring to claim 30,

- A processing unit, system memory, and an input/output device; A system bus coupling said processing unit, said system memory, and said input/output device:

*"As shown for computer 112, the client includes one or more processors (P) 117, memories 118 (M), input/output interfaces (I/O) 119 connected to each other by a bus 120." (Birrell, col. 3, lines 9-11)*



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- An electronic mail program module located in said system memory operative to retrieve over a distributed computer network electronic mail messages addressed to a first one of a plurality of users:

*Birrell, col. 5, lines 54-62* (see full quote above), any user of the system can retrieve messages addressed to them including a first of the plurality of users

- Said electronic mail program operative to retrieve over the distributed computer network status information regarding any unread electronic mail messages addressed to remaining ones of the plurality of users:

*Birrell, col. 5, lines* (see full quote above), any user of the system can retrieve status information regarding unread messages addressed to them including the remaining ones of the plurality of users

In referring to claim 31,

- A local message store operative to store the electronic mail messages received over the distributed computer network:

A system that downloads messages from a server onto a client inherently implies a local message store

- A database operative to store message-related information received over the network:

*"The indexer 250 will parse anything in a message that can be identified as a distinct set of characters delineated by word separators. Dates are also parsed and placed in the index. Dates are indexed so that searches on date ranges are possible. In an active index there may well be millions of different words. Therefore, in actual practice, compression techniques are extensively used to keep the files to a reasonably size, and allow updating of the index 500 as it is being used. The details of the physical on-disk structure of the index 600, and the maintenance thereof are described in U.S. Pat. No. 5,745,899, entitled "A Method for Indexing Information of a Database", issued to Michael Burrows on Apr. 28, 1998, incorporated in its entirety herein by reference."* (Birrell, col. 8, lines 7-20)

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In referring to claim 32,

- Said input/output device includes a display and said system memory has a first data structure that includes a pointer to a window to be displayed on the display:

*Birrell, col. 3, lines 18-20 (see full quote above)*

In referring to claim 33,

- Said system memory includes a first data structure that is operative to retrieve electronic mail messages after logging onto the distributed computer network to establish communication with a server on which said electronic mail messages are stored:

*Birrell, col. 5, lines 46-47 (see full quote above)*

In referring to claim 34,

- Said first data structure is operative to retrieve the electronic mail messages of said first one of the plurality of users and said status information after only said first of the plurality of users has logged in to the network:

*Birrell, col. 5, lines 46-47 (see full quote above), the system of Birrell allows any of the users to log into the system at any time, this includes having only one of the users logged in at a given time*

In referring to claim 35,

- Said plurality of users have been previously registered as system users:

*Birrell, col. 2, lines 58-65 (see full quote above), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system*

- Said status information includes a representation of the number of unread electronic mail messages available for the remaining ones of the plurality of users:

*Birrell, col. 9, lines 15-22 (see full quote above)*

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In referring to claim 36,

- Said status information further includes an identifier of the sender of each of the unread electronic mail messages:

*Birrell, col. 9, lines 10-14 (see full quote above)*

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Birrell in view of Skladman et al. (U.S. Patent Number 6,400,810, hereinafter "Skladman"). Although Birrell shows substantial features of the claimed invention, including the system of claim 2 (see 102 rejection above), Birrell does not show retrieving status information for users that are not logged on. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Birrell as evidenced by Skladman.

In analogous art, Skladman discloses a method and system for selective notification of E-mail messages. Skladman shows sending notices (to a user not logged into the email system) that new email has arrived: *"The TCP/IP stack 86 can be a commercially-available software program running on a standard PC operating system, such as Window NT. The stack 86 permits the notification server 26 to communicate an e-mail notice to the subscriber over data networks using the TCP/IP protocol, such as the Internet 30."* (Skladman, col. 6, lines 38-43)

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Birrell so as to retrieve status information for users that are not logged on, such as taught by Skladman,

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in order to notify users that new messages are available.

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Claims 9-12, 14, 25-29, and 37-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birrell in view of Evans et al. (U.S. Patent Number 6,799,286, hereinafter "Evans").

In referring to claim 9, Birrell shows substantial features of the claimed invention, including:

- The method of claim 8 (see 102 rejection above)
- Said plurality of users have been previously registered as users of said user interface device:

*Birrell, col. 2, lines 58-65* (see full quote above), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system

However, Birrell does not show displaying a window that identifies said previously registered users. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Birrell as evidenced by IV.

In analogous art, Evans discloses methods and arrangements for providing non-modal error information in a graphical user interface. Evans shows displaying a window that identifies said previously registered users: *"As shown, the user is initially prompted to select a user identifier through initial prompt 102. The user can respond by viewing one or more user identifier prompts 104. Thus, if computer 20 is configured to support a plurality of users, then a plurality of user identifier prompts 104 can be displayed. In this example, only one user identifier prompt 104 is shown."* (Evans, col. 3, line 65 – col. 4, line 4)

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Birrell so as to display a window that identifies said previously registered users, such as taught by Evans, in order to provide an intuitive, user friendly logon method.

In referring to claim 10, Birrell in view of Evans shows,

- Said identification of previously registered users includes a selectable icon for each of the previously registered users:

*“Within user identifier prompt 104, there is at least one selectable user area 106. Here, user identifier prompt 104 includes two different selectable user areas 106a-b. Selectable user area 106a is a graphical, iconic, or like representation associated with the user. For example, selectable user area 106a may include a picture of the user. Selectable user area 106b is a textual identification associated with the user. Thus, for example, the user's name may be displayed in selectable user area 106b.”* (Evans, col. 4, lines 5-13)

In referring to claim 11, Birrell in view of Evans shows,

- Said selectable icons specify the respective names of the previously registered users:

*Evans, col. 4, lines 5-13* (see full quote above)

In referring to claim 12, Birrell in view of Evans shows,

- The step of selecting one of the selectable icons to initiate a login procedure for establishing communication with the distributed computer network:

Evans, Fig. 2 shows selecting the icon area **106b** is part of initiating a login procedure

In referring to claim 14, Birrell in view of Evans shows,

- The step of establishing communication with the distributed computer network includes the step of entering a password into a text-box of the window:

Evans, Fig. 2 shows a text box **110** for entering a password

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In referring to claim 25, Birrell shows substantial features of the claimed invention, including:

- The method of claim 24 (see 102 rejection above)
- Said plurality of users have been previously registered as users of said user interface device:

*Birrell, col. 2, lines 58-65* (see full quote above), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system

However, Birrell does not show that said window identifies said previously registered users. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Birrell as evidenced by **IV**.

In analogous art, Evans discloses methods and arrangements for providing non-modal error information in a graphical user interface. Evans shows displaying a window that identifies said previously registered users: *Evans, col. 3, line 65 – col. 4, line 4* (see full quote above)

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Birrell so as to display a window that identifies said previously registered users, such as taught by Evans, in order to provide an intuitive, user friendly logon method.

In referring to claim 26, Birrell in view of Evans shows,

- Said identification of previously registered users includes a selectable icon for each of the previously registered users.

*Evans, col. 4, lines 5-13* (see full quote above)

In referring to claim 27, Birrell in view of Evans shows,

- Said selectable icons specify the respective names of the previously registered users.

*Evans, col. 4, lines 5-13* (see full quote above)

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In referring to claim 28, Birrell in view of Evans shows,

- Said selectable icons are operative to initiate a login procedure for establishing communication with the distributed computer network:

Evans, Fig. 2 shows selecting the icon area **106b** is part of initiating a login procedure

In referring to claim 29, Birrell in view of Evans shows,

- Said window includes a text-box for entering a password for completing the login procedure:

Evans, Fig. 2 shows a text box **110** for entering a password

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In referring to claim 37, Birrell shows substantial features of the claimed invention, including:

- The method of claim 32 (see 102 rejection above)
- Said plurality of users have been previously registered as system users:

*Birrell, col. 2, lines 58-65* (see full quote above), UNIX requires the users to log on as users before using the computer, the log-in name must be registered before it can be used on such a system

However, Birrell does not show that said window identifies said system users. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Birrell as evidenced by **IV**.

In analogous art, Evans discloses methods and arrangements for providing non-modal error information in a graphical user interface. Evans shows displaying a window that identifies said previously registered users: *Evans, col. 3, line 65 – col. 4, line 4* (see full quote above)

Given these teachings, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system of Birrell so as to display a window that identifies said previously registered users, such as taught by Evans, in order to provide an intuitive, user friendly logon method.

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In referring to claim 38, Birrell in view of Evans shows,

- Said identification of said system users includes a selectable icon for each of the system users:

*Evans, col. 4, lines 5-13 (see full quote above)*

In referring to claim 39, Birrell in view of Evans shows,

- Said selectable icons specify the respective names of the system users:

*Evans, col. 4, lines 5-13 (see full quote above)*

In referring to claim 40, Birrell in view of Evans shows,

- Said selectable icons are operative to initiate a login procedure for establishing communication with the distributed computer network:

Evans, Fig. 2 shows selecting the icon area **106b** is part of initiating a login procedure

In referring to claim 41, Birrell in view of Evans shows,

- Said window includes a text-box for entering a password for completing the login procedure:

Evans, Fig. 2 shows a text box **110** for entering a password

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Klinger whose telephone number is (703) 305-8285. The examiner can normally be reached on M-F 7:00am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott M. Klinger  
Examiner  
Art Unit 2153

smk



CLINTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100